IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO. 119 OF 1997.

Goa Trade & Commercial Workers' Union, registered under the Trade Unions Act, 1926, having office at c/o AITUC, Velho Building, Panaji. ... Petitioners.

Versus

1. The State of Goa, through Secretary, Labour Ministry, Secretariat, Panaji.
2. The State Advisory Contract Labour Board for State of Goa, through Commissioner, Labour and Employment, Junta House, Panaji.
3. M/s. Zuari Agro Chemicals Ltd., having office at Zuarinagar, Goa.
4. New Era Handling Agency, Zuari Agro Chemicals Ltd., Jai Kisan Bhavan, Sancoale, Zuarinagar, Goa.
5. M/s. Grewal Engineering Services, Zuari Agro Chemicals Limited, Zuarinagar, Sancoale, Goa.
6. M/s. RMP, Security Organization & Methods Consultants Pvt. Ltd. Zuari Agro Chemicals Ltd., Zuarinagar, Sancoale, Goa.
7. M/s. Mivir Construction ZACL, Zuarinagar, Sancoale, Goa.
8. M/s. Raju Electricals ZACL, Zuarinagar, Sancoale, Goa.
9. M/s. G.M, Bhandare Transport ZACL, Zuarinagar, Sancoale, Goa.
10. M/s. Seb Fernandes, ZACL, Zuarinagar, Sancoale, Goa.
11. M/s. Soma Civil Construction & Soma Fabricators, ZACL, Zuarinagar, Sancoale, Goa.
12. M/s. Newkem Engineering Pvt. Ltd. ZACL, Zuarinagar, Sancoale, Goa.
13. M/s. Gen Cargo Handling Agency ZACl, Zuarinagar, Sancoale, Goa.
14. M/s. Chemical Carriers, ZACL Zuarinagar, Sancoale, Goa.
15. M/s. Singh Transport Carriers, Zuarinagar, Sancoale, Goa.
16. M/s. S. Nicholas, ZACL Zuarinagar, Sancoale, Goa.
17. M/s Sea-Build Engineering,

ZACL, Zuarinagar, Sancoale, Goa.
18.M/s. Vales & Co., ZACL,
Zuarinagar, Sancoale, Goa.
19.M/s. Deepak G. Kharangate, ZACL,
Zuarinagar, Sancoale, Goa.
20.M/s. Avis Marine Services,
Gosalia Bldg., Vasco-da-Gama. ... Respondents.

Mr. M.S. Sonak and Mr. D.G. Pangam, Advocates for Petitioners.

Mr. A.N.S. Nadkarni, Advocate General with Ms. W. Coutinho, Government Advocate for Respondents 1 and 2.

Mr. P.K. Rele, Senior Advocate with Mr. G. Sardessai, Advocate for Respondent 3.

Mr. C.V. Singh, Senior Advocate with Mr. N. Sardessai, Advocate for Respondents 4 to 20.

Coram : S.J. VAZIFDAR AND
P.V. HARDAS, JJ.

Date : 15th April 2003.

ORAL JUDGMENT (Per Vazifdar, J.)

The petitioner-Union is at liberty to make an appropriate representation to the State Government of Goa, being the appropriate Government in this case, within a period of two weeks from today, with regard to the dispute, which the State Government shall, after hearing the respondents, decide whether to refer the same or not.

2. The exercise of whether to refer the industrial dispute or not shall be done by the State Government within a period of two months from the date of receipt of the aforesaid representation.

3. In the event the State Government decides to refer the matter for adjudication to the Industrial Tribunal, the Industrial Tribunal shall dispose of the same as expeditiously as possible, preferably within a year thereafter.

4. In view of this Order the petitioners are not pressing this petition. All the contentions of both the petitioners and the respondents are kept open before the State Authority and the Industrial Tribunal. The Writ Petition is, accordingly, dismissed. Rule stands discharged.

(S.J. VAZIFDAR)
JUDGE.

(P.V. HARDAS)
JUDGE.

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